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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

Susan Webber, Jonathan St. Goddard, Rhonda Mountain Chief and David Mountain Chief, Plaintiffs, vs. U.S. DEPARTMENT OF HOMELAND SECURITY, THE UNITED STATES OF AMERICA, and, in her official capacity, KRISTI NOEM, Defendants.	Cause No. CV 25-26-GF-DLC PLAINTIFFS OBJECTION TO TRANSFER OF RECORD TO COURT WITHOUT JURISDICTION
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This Court found in Doc. 47:

“As a result of Plaintiffs’ notice of appeal, (Doc. 41), the Court lost jurisdiction over this matter. *See Nat. Res. Def. Council, Inc.*, 242 F.3d at 1166.”

As such, the Court does not have jurisdiction to transfer this case to the CIT, a Court without jurisdiction. Once the appeal was filed, this Court lost authority to

do anything other than send the record to the Ninth Circuit Court of Appeals. The only Court with jurisdiction is the Ninth Circuit Court of Appeals.

The filing of a notice of appeal is an event of jurisdictional significance - it confers jurisdiction on the court of appeals and divests the district court of its control over the aspects of the case involved in the appeal.” *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58, 103 S. Ct. 400, 74 L. Ed. 2d 225 (1982).

The record should be transmitted to the Ninth Circuit and the Ninth Circuit only. That is the only Court with jurisdiction over this case. Transfer to CIT is not ministerial, it is a fundamental conflict with jurisdiction. Until that issue is resolved, this Court can only send the record to the Ninth Circuit.

Respectfully submitted this 28th day of April, 2025.

TRANEL LAW FIRM, P.C.

By: /s/ Monica Tranel
Monica Tranel